

continue to be reviewed for compliance with the Act and Commission rules. Accordingly, the amendment being adopted herein should have no effect on the Commission's ability to protect market participants and the public.

2. *Efficiency and competition.* The amendment, by requiring that the subject documents need only be filed with NFA and not also the Commission, should increase the efficiency with which CPOs comply with rule 4.26(d).

3. *Financial integrity of futures markets and price discovery.* The amendment should have no effect, from the standpoint of imposing costs or creating benefits, on the financial integrity or price discovery function of the futures and options markets.

4. *Sound risk management practices.* The amendment being adopted herein should have no effect on the risk management practices of the futures and options industry.

5. *Other public interest considerations.* The amendment should make compliance with the Commission rule 4.26(d) more efficient without imposing any costs to the regulatory oversight of commodity registrants.

After considering these factors, the Commission has determined to adopt the amendment discussed above.

#### *C. Administrative Procedure Act*

The Commission has determined that the amendment discussed herein relates solely to agency organization, procedure, and practice. Accordingly, the provisions of the Administrative Procedure Act that generally require notice of proposed rulemaking and that provide other opportunities for public participation are not applicable.<sup>7</sup> The Commission further finds that, because the amendment relieves a restriction as to the required filing of documents and the amendment has no adverse effect upon a member of the public, there is good cause to make it effective less than thirty days after publication in the **Federal Register**.<sup>8</sup>

#### **List of Subjects in 17 CFR Part 4**

Advertising, Customer protection, and Reporting and recordkeeping requirements.

For the reasons discussed in the foregoing, the Commission hereby amends chapter I of title 17 of the Code of Federal Regulations as follows:

### **PART 4—COMMODITY POOL OPERATORS AND COMMODITY TRADING ADVISORS**

1. The authority citation for part 4 continues to read as follows:

**Authority:** 7 U.S.C. 1a, 2, 6b, 6c, 6(c), 6l, 6m, 6n, 6o, 12a, and 23.

2. Section 4.26 is amended as follows:

- a. By amending the introductory text of paragraph (d) by removing “and paragraph (d)(3) of this section”; and
- b. By removing paragraph (d)(3).

Issued in Washington, DC on March 10, 2003, by the Commission.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 03-6179 Filed 3-14-03; 8:45 am]

**BILLING CODE 6351-01-P**

### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

#### **Food and Drug Administration**

#### **21 CFR Part 201**

**[Docket No. 00N-1463]**

**RIN 0910-AB78**

#### **Labeling Requirements for Systemic Antibacterial Drug Products Intended for Human Use; Correction**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; correction.

**SUMMARY:** The Food and Drug Administration (FDA) is correcting a final rule that appeared in the **Federal Register** of February 6, 2003 (68 FR 6062). The document amended FDA's regulations to require that the labeling for all systemic antibacterial drug products intended for human use include certain statements about using antibiotics in a way that will reduce the development of drug-resistant bacterial strains. The document was published with an inadvertent error. This document corrects that error.

**FOR FURTHER INFORMATION CONTACT:** Joyce Strong, Office of Policy (HF-27), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-827-7010.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 03-2969, appearing on page 6062 in the **Federal Register** of Thursday, February 6, 2003, the following correction is made:

1. On page 6081, in the second column, at the end of the document, the phrase “Dated: October 4, 2002” is corrected to read “Dated: December 4, 2002”.

Dated: March 10, 2003.

**William K. Hubbard,**

*Associate Commissioner for Policy and Planning.*

[FR Doc. 03-6232 Filed 3-14-03; 8:45 am]

**BILLING CODE 4160-01-S**

### **DEPARTMENT OF THE TREASURY**

#### **Departmental Offices**

#### **31 CFR Part 1**

#### **RIN 1505-AA97**

#### **Disclosure of Records in Legal Proceedings**

**AGENCY:** Departmental Offices, Treasury.

**ACTION:** Interim final rule.

**SUMMARY:** This interim final rule amends Treasury's regulations that govern access to information and records in connection with legal proceedings, including litigation in which neither the United States nor the Department of the Treasury is a party. The amendments elaborate on the procedures used when determining whether employees in the Departmental Offices will be permitted to testify or provide records relating to their official duties when they are directly subpoenaed or otherwise requested to testify. The amendments also specify and clarify the criteria that Treasury officials use when deciding whether to allow an employee to testify or provide records.

**DATES:** This interim final rule is effective March 17, 2003. Written comments may be submitted by April 16, 2003.

**ADDRESSES:** Submit written comments to Thomas M. McGivern, Counselor to the General Counsel, Department of the Treasury, 1500 Pennsylvania Avenue, NW., Room 3000, Washington, DC 20220.

**FOR FURTHER INFORMATION CONTACT:** Tom McGivern, Counselor to the General Counsel, at (202) 622-2317 or Traci J. Sanders, Deputy Counselor, at (202) 622-2744 (not toll-free numbers).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

Under 5 U.S.C. 301, heads of Executive or military departments may prescribe regulations governing the conduct of its employees and the custody, use, and preservation of the department's records, papers, and property. Many departments and agencies have promulgated such regulations to provide procedures for the disclosure of official records and

<sup>7</sup> 5 U.S.C. 553(b)(3)(A) (1994).

<sup>8</sup> See 5 U.S.C. 553(d) (1994).